

FILED  
CLERK OF COURT  
UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS  
Boston Division  
MAR 16 2 27

PATRICK CODY,  
Plaintiff

v.

SPRINGFIELD TERMINAL  
RAILWAY COMPANY

And

BOSTON AND MAINE  
CORPORATION  
Defendants

CIVIL DOCKET NO. 05-10290 PBS

**ANSWER AND JURY CLAIM OF DEFENDANTS**

1. Admitted.
2. Admitted.
3. Admitted.
4. The allegations of the Complaint speak for themselves.  
The defendants deny liability under the referenced  
statutes.
5. Admitted.
6. Admitted.
7. The defendants deny that their acts or omissions or their  
part caused injury to the plaintiff.
8. The defendants admit that at various times the plaintiff  
was employed by the defendants.
9. The defendants deny that the plaintiff was injured in an  
occurrence and the defendants therefore deny this  
allegation.
10. The defendants admit that at various periods of time  
since 1978 the plaintiff was employed by the defendants.  
Otherwise, the defendants deny the allegations contained  
in this paragraph.

11. The defendants deny each allegation contained in this paragraph.
12. The defendants deny these allegations.
13. At this time, the defendants are without information sufficient to enable them to either admit or deny this allegation.
14. The defendants deny this allegation.
15. The defendants deny this allegation.
16. The defendants deny this allegation.

**First Additional Defense**

And further answering, the defendant say that the plaintiff's claims are barred by the Statute of Limitations.

**Second Additional Defense**

And further answering, the defendants say that if the plaintiff was injured, his injuries were caused by his own negligence.

**Third Additional Defense**

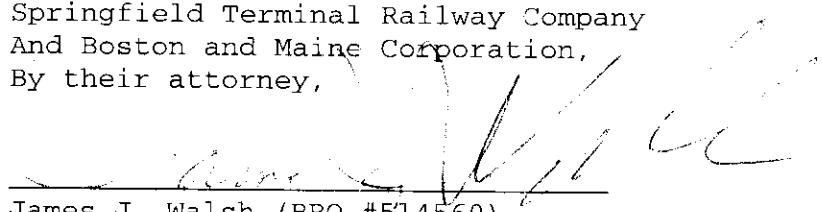
And further answering, the defendants say that if the plaintiff was injured, his injury was caused by persons or conditions for which the defendant is not legally responsible.

**Fourth Additional Defense**

And further answering, the defendants say that the Complaint fails to state a claim upon which relief can be granted.

**Defendants Claim Jury Trial**

DEFENDANTS,  
Springfield Terminal Railway Company  
And Boston and Maine Corporation,  
By their attorney,

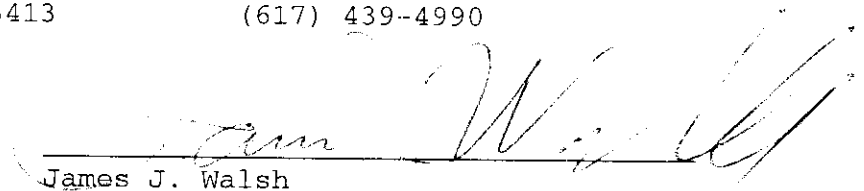
  
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James J. Walsh (BBO #514560)  
HERLIHY, THURSBY AND HERLIHY, LLP  
133 Federal Street  
Boston, MA 02110  
(617) 426-6100  
jwalsh@hthlaw.com

**CERTIFICATE OF SERVICE**

I, James J. Walsh, counsel for defendants, hereby certify that I have this day, 3-15, 2005, served a copy of the foregoing document on the plaintiff herein by mailing same, postage prepaid, to:

Thomas J. Joyce, III, Esq.  
HANNON & JOYCE  
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James J. Walsh